

in the original Complaint, he should be permitted to amend his Complaint in order to clearly state his ADA retaliation claim.

The Court has considered Plaintiff's arguments and finds that each of these arguments is addressed in the Report and Recommendation. The Court receives the Report and Recommendation with approval and adopts it as the Opinion and Order of this Court. The original Complaint did not clearly state a cause of action for retaliation under the ADA. The briefing of the parties and the Court's previous rulings made clear that an ADA retaliation claim was not included in the Complaint. Further, Plaintiff is unable to satisfy the good cause requirement of Rule 16 for an amendment at this time.

Therefore, Plaintiff's Motion to Amend [49] is **DENIED**.

SO ORDERED, this 15th day of April, 2015.



RICHARD W. STORY
UNITED STATES DISTRICT JUDGE